THE HONORABLE THOMAS S. ZILLY 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE 9 JOUREY NEWELL and FELIPE Case No. 2:19-cy-00662 10 MACHADO, individually and on behalf of all others similarly situated, **DECLARATION OF ANTHONY** 11 TODARO IN SUPPORT OF RECREATIONAL EOUIPMENT. Plaintiffs. 12 **INC.'S MOTION TO DISMISS** v. 13 RECREATIONAL EQUIPMENT, INC., a 14 Washington company, 15 Defendant. 16 I, Anthony Todaro, hereby declare as follows: 17 1. I am a partner at DLA Piper LLP (US) and counsel of record for defendant 18 19 Recreational Equipment, Inc. ("REI") in the above-captioned action. I submit this declaration 20 in support of REI's Motion to Dismiss. I have personal knowledge of the facts contained in 21 this declaration, and I am competent to testify as to them. Attached as **Exhibit 1** is a true and correct copy of REI's Bylaws, dated May 1, 22 2. 23 2017. 24 3. Attached as **Exhibit 2** is a true and correct copy of the dividend statement sent 25 to REI members dated on or about March 2017. 26 DECLARATION OF ANTHONY TODARO IN DLA Piper LLP (US) SUPPORT OF RECREATIONAL EQUIPMENT, 701 Fifth Avenue, Suite 7000 INC.'S MOTION TO DISMISS - 1 Seattle, WA 98104-7044 | Tel: 206.839.4800 Case No. 2:19-CV-00662

1	4. Attached as <b>Exhibit 3</b> is a true and correct copy of REI's Amended Articles of
2	Incorporation, dated October 30, 1970.
3	5. Attached as <b>Exhibit 4</b> are true and correct excerpts from the 2003-2004 Session
4	Laws of the State of Washington. A complete copy of this voluminous record is available from
5	counsel upon request.
6	6. Attached as <b>Exhibit 5</b> are true and correct excerpts from the 1947 Session Laws
7	of the State of Washington. A complete copy of this voluminous record is available from
8	counsel upon request.
9	I declare under penalty of perjury under the laws of the State of Washington that the
10	foregoing is true and correct.
11	Signed at Seattle, Washington on May 30, 2019.
12	s/ Anthony Todaro
13	Anthony Todaro, WSBA No. 30391
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	DECLARATION OF ANTHONY TODARO IN  SUPPORT OF RECREATIONAL EQUIPMENT,  DIA Piper LLP (US)  701 Fifth Avenue, Suite 7000

**CERTIFICATE OF SERVICE** I hereby certify that on May 30, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties or their counsel of record. Dated this 30th day of May, 2019. s/ Alicia Morales Alicia Morales, Legal Practice Specialist WEST\286370364.4 DECLARATION OF ANTHONY TODARO IN DLA Piper LLP (US) SUPPORT OF RECREATIONAL EQUIPMENT, 701 Fifth Avenue, Suite 7000

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